



**PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION**

1       **AN ACT** *to repeal* 119.36 and 121.137 (1) (a); *to renumber* 119.18 (2) and 119.18  
2           (11); *to renumber and amend* 119.12 (4), 119.12 (6), 119.18 (15) and 119.70  
3           (1); *to amend* 16.70 (8), 24.66 (3) (a), 24.66 (5) (a), 38.08 (1g), 40.02 (41), 40.02  
4           (55) (b), 63.235, 63.36 (2), 63.53, 66.0217 (8) (c), 66.0901 (1) (a), 66.1333 (5r) (b)  
5           1. (intro.) and a., 66.1333 (5s) (a), 111.70 (4) (m) 1., 111.70 (4) (m) 4., 115.001 (7),  
6           115.395, 118.22 (1) (b), 119.02 (1), 119.04 (1), 119.04 (2), 119.10 (2), 119.16,  
7           119.18 (title), (1g) and (1r), 119.18 (3) to (5), (6) (intro.) and (b) and (7) to (10),  
8           119.18 (12), (13) (intro.), (b) and (c) and (14), 119.18 (16) to (22), 119.19, 119.235  
9           (1), 119.235 (2) (intro.) and (b), 119.235 (2) (d), 119.235 (2) (e) 2., 119.235 (2) (f),  
10          119.235 (3), 119.235 (4), 119.235 (5), 119.24, 119.26, 119.28 (1), 119.28 (2),  
11          119.28 (3), 119.28 (4), 119.30, 119.32 (1), 119.32 (2) (intro.), 119.32 (3), 119.32  
12          (4), 119.32 (5), 119.32 (6), 119.32 (7), 119.40, 119.42 (1m), 119.42 (2), 119.44  
13          (title), 119.44 (1), 119.44 (2) (intro.), 119.44 (2) (a) 3., 119.46 (1), 119.47, 119.48  
14          (1), 119.48 (2) (intro.), 119.48 (2) (a), 119.48 (4) (a), 119.485, 119.49 (1) (a), 119.49  
15          (2), 119.49 (3), 119.498 (1), 119.498 (2), 119.499, 119.50 (2), 119.55, 119.60,

1 119.66, 119.68 (1), 119.70 (3), 119.70 (5), 119.71 (3), 119.73, 119.74 (intro.),  
2 119.75, 119.78, 119.82 (1m) (intro.), 120.115 (1), 120.13 (17), 120.14 (1), 121.137  
3 (2), 121.137 (3), 121.85 (6) (am) 1. a., 121.85 (6) (am) 2. a., 121.85 (6) (am) 3. a.,  
4 121.85 (6) (am) 4. a., 121.85 (6) (am) 5., 121.85 (6) (am) 6. a., 121.85 (6m), 121.87  
5 (3) and 200.23 (2) (a) 6.; **to repeal and recreate** 111.70 (4) (m) 2. and 119.18  
6 (23); and **to create** 20.255 (3) (cs), 115.28 (53), 119.14 (title), (1), (2) and (6) to  
7 (13), 119.14 (15), 119.16 (8) (am), 119.16 (11), 119.53, 119.70 (1) (b), 119.90 and  
8 121.137 (1) (c) of the statutes; **relating to:** the powers and duties of the board  
9 of school directors and the superintendent of schools in a first class city school  
10 district, requiring a referendum, and granting rule-making authority.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

11 **SECTION 1.** 16.70 (8) of the statutes is amended to read:

12 16.70 (8) “Municipality” means a county, city, village, town, school district,  
13 ~~board of school directors~~, sewer district, drainage district, technical college district  
14 or any other public or quasi-public corporation, officer, board or other body having  
15 the authority to award public contracts.

16 **SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
17 the following amounts for the purposes indicated:

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24**2009-10      2010-11****20.255 Public instruction, department of**(3) AIDS TO LIBRARIES, INDIVIDUALS, AND  
ORGANIZATIONS

(cs) Comprehensive services                      GPR      A                      -0-                      -0-

**SECTION 3.** 20.255 (3) (cs) of the statutes is created to read:

20.255 **(3)** (cs) *Comprehensive services.* The amounts in the schedule for the grant to provide comprehensive services to children under s. 115.28 (53).

**SECTION 4.** 24.66 (3) (a) of the statutes is amended to read:

24.66 **(3)** (a) *For long-term loans by common, union high and 1st class city school districts.* Every application for a loan, the required repayment of which exceeds 10 years, shall be approved and authorized for a common, union high or 1st class city school district by a vote of a majority of its legal voters voting on this question. If the vote is taken at a special meeting the objects thereof shall be clearly stated in the notice of the meeting. The application shall state the facts in detail respecting the holding of the meeting, and the taking and the result of the vote required. The In a common or union high school district, the application shall be signed by a majority of the members of the district school board and verified by the clerk. In a 1st class city school district, the application shall be signed by the superintendent of schools. The statement accompanying the application shall contain a correct map or plat of the district. If the district is a joint district, the statement accompanying the application shall show the assessed valuation in its several parts separately, so that the valuation of each part of the district which lies in each town or municipality may be readily shown.

1           **SECTION 5.** 24.66 (5) (a) of the statutes is amended to read:

2           24.66 **(5)** (a) Every application for a loan under this section by a municipality  
3 shall be accompanied by a certified copy under the hand of the proper clerk of a  
4 recorded resolution adopted by the municipality applying for or approving the loan,  
5 levying, except as provided in par. (b), upon all the taxable property of the  
6 municipality a direct annual tax for the purpose of paying and sufficient to pay the  
7 principal and interest on the proposed loan as they become due. In a 1st class city  
8 school district, the application shall be accompanied by a ~~certified copy of a~~  
9 ~~resolution, adopted by the board of school directors~~ sworn affidavit by the  
10 superintendent of schools, stating that it is the intention of the ~~board of school~~  
11 ~~directors~~ superintendent of schools to include in its his or her budget transmitted to  
12 the common council under s. 119.16 (8) (b) a written notice specifying the amount of  
13 money necessary to pay the principal and interest on the loan as they become due.  
14 Every application for a loan under this subsection by a cooperative educational  
15 service agency shall be accompanied by a copy of a recorded resolution adopted by  
16 the school board of each school district for which the loan is sought, certified by the  
17 school district clerk of that school district, levying upon all taxable property of the  
18 school district a direct annual tax for the purpose of paying and sufficient to pay the  
19 school district's share of the principal and interest on the proposed loan as they  
20 become due. The levy imposed by the municipality shall be void if the board declines  
21 to make the loan; otherwise it shall remain valid and irrevocable until the loan and  
22 all interest on the loan are fully paid.

23           **SECTION 6.** 38.08 (1g) of the statutes is amended to read:

24           38.08 **(1g)** The appointment committee for a district board that governs a  
25 district encompassing a 1st class city shall include 4 additional members designated

1 by the ~~board of school directors in charge~~ superintendent of schools of the public  
2 schools of the 1st class city. The additional members shall be appointed so as to  
3 reflect, to the extent possible, the distribution of women and minorities within the  
4 1st class city.

5 **SECTION 7.** 40.02 (41) of the statutes is amended to read:

6 40.02 (41) “Milwaukee teacher” means any teacher employed by the ~~board of~~  
7 ~~school directors of the city of Milwaukee~~ superintendent of schools of a 1st class city  
8 school district.

9 **SECTION 8.** 40.02 (55) (b) of the statutes is amended to read:

10 40.02 (55) (b) Any person employed as a full-time social center, community  
11 house, adult education or recreation director, instructor or other employee employed  
12 by the ~~board of school directors of the city of Milwaukee~~ superintendent of schools  
13 of a 1st class city school district, who possesses the qualifications required for  
14 employment as a teacher.

15 **SECTION 9.** 63.235 of the statutes is amended to read:

16 **63.235 Delegation to board of school directors.** In a 1st class city, the city  
17 service commission shall delegate its recruitment and hiring duties related to  
18 specified classifications of school employees to the ~~board of school directors~~  
19 superintendent of schools if the ~~board adopts a resolution requesting~~ superintendent  
20 of schools requests the commission to do so.

21 **SECTION 10.** 63.36 (2) of the statutes is amended to read:

22 63.36 (2) Persons in the service of the city shall not be compensated for acting  
23 as examiners if they are public officers or if their service as examiners is rendered  
24 during their paid working schedule, but the board may compensate employees of the  
25 ~~board of school directors~~ superintendent of schools for serving as city service

1 examiners beyond their regular working hours and beyond their regular duties as  
2 such employees.

3 SECTION 11. 63.53 of the statutes is amended to read:

4 **63.53 Board of school directors employees Employees of a 1st class city**  
5 **school district.** (1) Except as provided under sub. (2), all ~~officers and employees~~  
6 of the ~~board of school directors~~ superintendent of schools of any 1st class city school  
7 district are members of the classified service and shall be selected and have their  
8 tenure and employment status determined in accordance with ss. 63.18 to 63.51, the  
9 rules adopted under ss. 63.18 to 63.51 and the charter ordinances applying to the  
10 board of city service commissioners of the city.

11 (2) The following employees are not members of the classified service: the  
12 superintendent of schools, ~~deputy superintendent of schools, associate~~  
13 ~~superintendent of schools, executive assistant to the superintendent of schools,~~  
14 ~~assistant to the superintendent of schools, assistant superintendent, division~~  
15 ~~director, department director~~ and employees appointed by the superintendent of  
16 schools under s. 119.32 (3), principals, teachers and substitute teachers actually  
17 engaged in teaching, staff of the board of school directors if the board so decides ~~under~~  
18 ~~s. 119.18 (10) (c),~~ and, in any department of the school board devoted wholly or  
19 principally to the subjects of municipal recreation and adult education, all employees  
20 of those departments whose duties are peculiar to municipal recreation and adult  
21 education but not including employees whose duties are clerical or custodial.

22 SECTION 12. 66.0217 (8) (c) of the statutes is amended to read:

23 66.0217 (8) (c) The annexation is effective upon enactment of the annexation  
24 ordinance. The ~~board of school directors~~ superintendent of schools in a 1st class city

1 is not required to administer the schools in any territory annexed to the city until  
2 July 1 following the annexation.

3 **SECTION 13.** 66.0901 (1) (a) of the statutes is amended to read:

4 66.0901 (1) (a) “Municipality” means the state or a town, city, village, school  
5 district, ~~board of school directors~~, sewer district, drainage district, technical college  
6 district or other public or quasi-public corporation, officer, board or other public body  
7 charged with the duty of receiving bids for and awarding any public contracts.

8 **SECTION 14.** 66.1333 (5r) (b) 1. (intro.) and a. of the statutes are amended to  
9 read:

10 66.1333 (5r) (b) 1. (intro.) The authority of a 1st class city may issue up to  
11 \$170,000,000 in bonds to finance or refinance the development or redevelopment of  
12 sites and facilities to be used for public school facilities by the ~~board of school~~  
13 ~~directors~~ superintendent of schools of the school district operating under ch. 119 if  
14 all of the following apply:

15 a. The ~~board of school directors~~ superintendent of schools of the school district  
16 operating under ch. 119 requests the issuance of the bonds to implement the report  
17 approved under 1999 Wisconsin Act 9, section 9158 (7tw) (b).

18 **SECTION 15.** 66.1333 (5s) (a) of the statutes is amended to read:

19 66.1333 (5s) (a) *Bond issuance.* Subject to s. 119.499 (1), the authority of a 1st  
20 class city may issue up to \$200,000,000 in bonds to finance or refinance the payment  
21 of unfunded prior service liability contributions under the Wisconsin Retirement  
22 System for the ~~board of school directors~~ of the school district operating under ch. 119  
23 if the ~~board of school directors~~ superintendent of schools of the school district  
24 operating under ch. 119 requests the issuance of the bonds.

25 **SECTION 16.** 111.70 (4) (m) 1. of the statutes is amended to read:

1           111.70 (4) (m) 1. Reassignment of municipal employees who perform services  
2 for ~~a board of school directors~~ the superintendent of schools under ch. 119, with or  
3 without regard to seniority, as a result of a decision of the ~~board of school directors~~  
4 superintendent of schools to contract with an individual or group to operate a school  
5 as a charter school, as defined in s. 115.001 (1), or to convert a school to a charter  
6 school, or the impact of any such reassignment on the wages, hours or conditions of  
7 employment of the municipal employees who perform those services.

8           **SECTION 17.** 111.70 (4) (m) 2. of the statutes is repealed and recreated to read:

9           111.70 (4) (m) 2. Reassignment of municipal employees who perform services  
10 for the superintendent of schools, with or without regard to seniority, as a result of  
11 the decision of the superintendent of schools to close or reopen a school under s.  
12 119.18 (23), or the impact of any such reassignment on the wages, hours or conditions  
13 of employment of the municipal employees who perform those services.

14           **SECTION 18.** 111.70 (4) (m) 4. of the statutes is amended to read:

15           111.70 (4) (m) 4. Any decision of ~~a board of school directors~~ the superintendent  
16 of schools to contract with a school or agency to provide educational programs under  
17 s. 119.235, or the impact of any such decision on the wages, hours or conditions of  
18 employment of the municipal employees who perform services for the ~~board~~  
19 superintendent of schools.

20           **SECTION 19.** 115.001 (7) of the statutes is amended to read:

21           115.001 (7) SCHOOL BOARD. “School board” means the school board ~~or board of~~  
22 ~~school directors~~ in charge of the schools of a school district, except that in a 1st class  
23 city school district “school board” means the board of school directors.

24           **SECTION 20.** 115.28 (53) of the statutes is created to read:

1           115.28 (53) COMPREHENSIVE SERVICES TO CHILDREN IN MILWAUKEE. From the  
2 appropriation under s. 20.255 (3) (cs), beginning in the 2011–12 school year annually  
3 award a grant to a nonprofit corporation that jointly with a local governmental unit  
4 or a state agency provides comprehensive services to improve the education, health,  
5 and economic opportunities of children residing in a 1st class city school district. The  
6 state superintendent shall promulgate rules to implement and administer this  
7 subsection, including rules establishing a matching requirement.

8           **SECTION 21.** 115.395 of the statutes is amended to read:

9           **115.395 Grants for improving pupil academic achievement. (1)** In this  
10 section, “board” “superintendent” means the ~~board of school directors in charge~~  
11 superintendent of schools of the school district operating under ch. 119.

12           **(2)** ~~Beginning in the 2008–09 school year, the board~~ The superintendent may  
13 apply to the department of administration for an annual grant of up to \$10,000,000  
14 to implement initiatives to improve pupil academic achievement in all grades, such  
15 as employing licensed teachers to tutor pupils who are struggling academically, or  
16 employing persons to coordinate the district’s instructional programs and provide  
17 ongoing professional development for teachers. ~~The board~~ superintendent shall  
18 submit with its his or her application a plan for the department of administration’s  
19 approval describing the initiatives for which the grant will be used, describing the  
20 research showing that the initiatives have a positive effect on pupil academic  
21 achievement, and including criteria for evaluating the effectiveness of the  
22 initiatives, such as high school graduation rates or the results of the statewide pupil  
23 assessments under ~~ch. s.~~ s. 118.30.

24           **(3)** The department of administration may approve the plan submitted under  
25 sub. (2) in whole or in part. If the department approves a plan in part, the ~~board~~

1 superintendent may submit an additional plan for the same school year and the  
2 department may award the ~~board~~ school district operating under ch. 119 all or part  
3 of the balance of grant funds.

4 (4) Upon receipt of a notice from the department of administration that a plan  
5 has been approved under sub. (3), the state superintendent shall pay to the ~~board~~  
6 school district operating under ch. 119, from the appropriation under s. 20.255 (2)  
7 (df), the amount specified by the department of administration.

8 **SECTION 22.** 118.22 (1) (b) of the statutes is amended to read:

9 118.22 (1) (b) “Teacher” means any person who holds a teacher’s certificate or  
10 license issued by the state superintendent or a classification status under the  
11 technical college system board and whose legal employment requires such  
12 certificate, license or classification status, but does not include part-time teachers  
13 or teachers employed by ~~any board of school directors~~ the superintendent of schools  
14 in a city of the 1st class.

15 **SECTION 23.** 119.02 (1) of the statutes is amended to read:

16 119.02 (1) “Board” means the board of school directors ~~in charge of the public~~  
17 ~~schools of a city of the 1st class~~ city school district.

18 **SECTION 24.** 119.04 (1) of the statutes, as affected by 2009 Wisconsin Act 28,  
19 is amended to read:

20 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
21 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
22 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045,  
23 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,  
24 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6)  
25 and (8), 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12

1 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34),  
2 (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class  
3 city school district ~~and board. Except for ss. 118.06 (1), 118.13 (2) (a), 118.31 (4), and~~  
4 120.13 (17), in a 1st class city school district, any power conferred or duty imposed  
5 upon a school board in these provisions is conferred or imposed instead upon the  
6 superintendent of schools, and any prohibition upon a school board's actions in these  
7 provisions applies to both the board and the superintendent of schools.

8 **SECTION 25.** 119.04 (2) of the statutes is amended to read:

9 119.04 (2) The ~~board~~ superintendent of schools shall exercise the powers,  
10 perform the functions and be entitled to all school aid under sub. (1) insofar as the  
11 same are relevant to cities of the 1st class. The superintendent of schools, the board,  
12 and the schools in cities of the 1st class shall be governed in all matters by the general  
13 laws of the state, except as altered or modified by express amendments.

14 **SECTION 26.** 119.10 (2) of the statutes is amended to read:

15 119.10 (2) Annually, no earlier than the 4th Monday in April and no later than  
16 the first Monday in May, the board shall hold its organizational meeting, shall elect  
17 a president from among its members to serve for one year and until a successor is  
18 chosen, and shall designate an individual to serve as clerk and an individual to serve  
19 as assistant clerk. In the absence or during the disability of the board president, the  
20 board shall elect an acting president. The board president shall appoint standing  
21 committees to serve for one year.

22 **SECTION 27.** 119.12 (4) of the statutes is renumbered 119.18 (25) and amended  
23 to read:

1           119.18 (25) LIMIT ON DEBT AND EXPENSES. The ~~board~~ superintendent of schools  
2 shall not in any one year contract any debt or incur any expense greater than the  
3 amount of the school funds subject to ~~its~~ his or her order.

4           **SECTION 28.** 119.12 (6) of the statutes is renumbered 119.18 (24) and amended  
5 to read:

6           119.18 (24) ATTORNEY. The city attorney of the city shall be the legal adviser  
7 of and attorney for the ~~board~~ superintendent of schools, except that the ~~board~~  
8 superintendent of schools may retain an attorney to represent the ~~board~~  
9 superintendent of schools in any matter if the ~~board~~ superintendent of schools  
10 determines that ~~it~~ he or she requires specialized legal expertise not possessed by the  
11 city attorney, the city attorney does not have sufficient staff to adequately represent  
12 the interests of the ~~board~~ superintendent of schools or a conflict of interest exists.  
13 The ~~board~~ superintendent of schools shall provide the city attorney with reasonable  
14 notice of ~~any board meeting at which the board will~~ whenever he or she intends to  
15 consider retention of an attorney.

16           **SECTION 29.** 119.14 (title), (1), (2) and (6) to (13) of the statutes are created to  
17 read:

18           **119.14 (title) Board; powers and duties. (1) GENERAL SUPERVISION.** The  
19 board may visit and examine the schools of the school district and advise the  
20 superintendent of schools regarding the instruction, government, and progress of the  
21 pupils.

22           **(2) RULES.** The board may adopt and modify or repeal rules for its own  
23 government.

24           **(6) PUBLIC INPUT.** The board shall allocate time at each board meeting for public  
25 comment on issues of concern or interest to residents of the school district regarding

1 the education of pupils, management of the school district, the school district's  
2 budget, or other issues of interest or concern. The board shall provide a written  
3 summary of public comments received at each board meeting to the superintendent  
4 of schools within 2 weeks of the board meeting.

5 **(7) DISCUSSION OF PUBLIC QUESTIONS.** Upon the written application of one-half  
6 of the electors of the school district, the board shall allow the use of the school  
7 buildings or grounds for the free discussion of public questions so far as such use does  
8 not interfere, as determined by the superintendent of schools, with the prime  
9 purpose of the school buildings or grounds.

10 **(8) FUNDS FOR REWARDS.** The board may establish a reward, not exceeding \$500,  
11 for information leading to the arrest and conviction of persons who damage or destroy  
12 school property or who injure any person while at school or under the supervision of  
13 a school authority.

14 **(9) SCHOOL BOARD ORGANIZATION; FEE.** The board may pay the membership fee  
15 in an organization of school boards in this state and the actual and necessary  
16 expenses of its representatives incurred in attending meetings of such organization.

17 **(10) COMMUNITY PROGRAMS AND SERVICES.** The board may establish and  
18 maintain community education, training, recreational, cultural, or athletic  
19 programs and services, outside the regular curricular and extracurricular programs  
20 for pupils, under such terms and conditions as the board prescribes. The board may  
21 establish and collect fees to cover all or part of the costs of such programs and  
22 services. Costs associated with such programs and services shall not be included in  
23 the school district's shared cost under s. 121.07 (6).

24 **(11) LECTURES.** The board may provide free lectures on educational subjects in  
25 school buildings, public library buildings, or other suitable places, and provide for

1 the further education of the adult residents of the school district. The superintendent  
2 of schools may purchase books, stationery, charts, and other things necessary to  
3 conduct such lectures. The board may designate a person to manage such lectures.

4 **(12) SCHOOL BOARD ORIENTATION.** The board may provide for the orientation and  
5 continuing education of board members and persons who have been elected to the  
6 board but have not yet taken office in the general duties and responsibilities of the  
7 board and the school district, and pay for the actual and necessary expenses  
8 incurred.

9 **(13) ATTORNEY.** The board may retain an attorney to advise and represent it  
10 on matters relating to board governance and to subchs. II and V of ch. 19 if the city  
11 attorney approves. The board shall provide the city attorney with reasonable notice  
12 of any board meeting at which the board will consider retention of an attorney.

13 **SECTION 30.** 119.14 (15) of the statutes is created to read:

14 119.14 **(15) RECORDS CUSTODIAN.** The board may designate one or more persons  
15 to be legal custodians of the board's records.

16 **SECTION 31.** 119.16 of the statutes is amended to read:

17 **119.16 Board Superintendent of schools; duties. (1) EDUCATIONAL**  
18 **PRIORITIES AND OBJECTIVES.** The ~~board and the~~ superintendent of schools shall identify  
19 broad yearly objectives and assess priorities for education in the school district and  
20 shall issue an annual report and such additional reports as the ~~board and~~  
21 superintendent ~~deem~~ deems desirable on the status of academic programs in the  
22 school district and the progress of pupils enrolled in the public schools.

23 **(1m) MANAGEMENT OF SCHOOL DISTRICT.** The ~~board~~ superintendent of schools  
24 shall have the possession, care, control and management of the schools, facilities,  
25 operations, property and affairs of the school district.

1           **(2) ESTABLISH SCHOOLS AND DISTRICTS.** The ~~board~~ superintendent of schools shall  
2 maintain the public schools in the city and shall establish, organize and maintain  
3 such schools as the ~~board~~ superintendent of schools determines are necessary to  
4 accommodate the children entitled to instruction therein. The ~~board~~ superintendent  
5 of schools shall divide the city into attendance districts for such schools.

6           **(3) BUILDINGS AND SITES.** (a) The ~~board~~ superintendent of schools shall  
7 construct, purchase, lease, improve or enlarge buildings and purchase furniture and  
8 sites for the public schools, shall purchase, install and maintain heating systems in  
9 public schools and may contract for carrying out any of these purposes.

10           (b) Except as provided in par. (c), schoolhouses and the sites on which they are  
11 situated shall be the property of the city. No site may be purchased or leased and no  
12 schoolhouse may be constructed unless ~~a resolution therefor is duly adopted by the~~  
13 ~~board~~ the superintendent of schools issues an order to do so. Except as provided in  
14 par. (c), deeds of conveyance and leases shall be made to the city.

15           (c) If the redevelopment authority of the city issues bonds under s. 66.1333 (5r),  
16 the ~~board~~ superintendent of schools may lease buildings or sites from the  
17 redevelopment authority or borrow money from the redevelopment authority for the  
18 purposes of par. (a).

19           **(4) COMPETITIVE BIDDING.** The ~~board~~ superintendent of schools shall establish  
20 competitive bidding policies and procedures for purchases and for construction  
21 contracts.

22           **(5) SPECIAL COURSES.** Within budgetary limitations, the ~~board~~ superintendent  
23 of schools shall establish in any public school, in grade 7 and higher, such classes of  
24 instruction consistent with the educational goals and objectives adopted by the ~~board~~  
25 superintendent of schools under sub. (1) as are petitioned for by the parents of a

1 number of pupils attending the school sufficient to form one or more classes of  
2 instruction. Petition by the parents of 30 or more pupils of like classification  
3 attending any such school requesting the establishment of instruction in a specified  
4 subject is prima facie evidence of the sufficiency of the number of pupils to commence  
5 instruction therein.

6 (6) CUSTODIANS OF SCHOOL PREMISES. The ~~board~~ superintendent of schools shall  
7 fix the duties and responsibilities of principals, as custodians of the school premises,  
8 and of the school engineers. Each principal shall have general supervision of and  
9 shall be custodian of all school premises over which the principal presides.

10 (8) BUDGET. (a) Annually before adopting ~~its~~ the budget for the ensuing school  
11 year and at least ~~5~~ 65 days before transmitting ~~its~~ the completed budget under par.  
12 (b), ~~the board shall hold a public hearing on the proposed school budget at a time and~~  
13 ~~place fixed by the board. At least one week before the public hearing, the board shall~~  
14 ~~publish a class 1 notice, under ch. 985, of the public hearing.~~ superintendent of  
15 schools shall submit the proposed budget to the board for its review. If the board  
16 objects to one or more items, it shall return the budget to the superintendent of  
17 schools within 15 days, indicating the items to which it objects in writing. The  
18 superintendent of schools shall respond to the board's objections, in writing, within  
19 25 days. The response may include revised versions of the items to which the board  
20 objected. The board may hold one or more public hearings on the superintendent's  
21 response. If the board does so, it shall provide to the superintendent of schools a  
22 written report on the hearings within 15 days of receiving the superintendent's  
23 response.

24 (b) ~~The board~~ superintendent of schools shall transmit ~~its~~ the completed budget  
25 to the common council on or before the first Monday in August of each year on forms

1 furnished by the auditing officer of the city. Such completed budget shall be  
2 published with the budget summary under s. 65.04 (2) or 65.20 and budget under s.  
3 65.05 (7).

4 **(10) SCHOOL FACILITIES.** (a) The ~~board~~ superintendent of schools may not  
5 demolish any school facility that is 50 years old or older without the approval of the  
6 city historic preservation commission.

7 (b) The ~~board~~ superintendent of schools may construct new school facilities  
8 only in the areas of greatest local need for such facilities.

9 **SECTION 32.** 119.16 (8) (am) of the statutes is created to read:

10 119.16 **(8)** (am) At least 5 days before transmitting the completed budget to the  
11 common council under par. (b), the superintendent of schools shall hold a public  
12 hearing on the proposed budget.

13 **SECTION 33.** 119.16 (11) of the statutes is created to read:

14 119.16 **(11) COLLECTIVE BARGAINING AGREEMENTS.** (a) Within 5 days of signing  
15 a collective bargaining agreement, the superintendent of schools shall submit a copy  
16 of the agreement to the board for its review. The superintendent of schools shall meet  
17 with the board to discuss the agreement if the board requests such a meeting within  
18 30 days of receiving a copy of the agreement.

19 (b) The superintendent of schools may not enter into a contract specifying  
20 wages, hours, or conditions of employment with any organization that is not a labor  
21 organization, as defined in s. 111.70 (1) (h).

22 **SECTION 34.** 119.18 (title), (1g) and (1r) of the statutes are amended to read:

23 **119.18** (title) **Board Superintendent of schools; powers.** **(1g)** GENERALLY.  
24 The ~~board~~ superintendent of schools may do all things reasonable to promote the

1 cause of education, including establishing, providing and improving school district  
2 programs, functions and activities for the benefit of pupils.

3 **(1r) RULES.** The ~~board~~ superintendent of schools may adopt and modify or  
4 repeal rules for ~~its own government~~ the administration of the school district and for  
5 the organization, discipline and management of the public schools which shall  
6 promote the good order and public usefulness of the public schools.

7 **SECTION 35.** 119.18 (2) of the statutes is renumbered 119.14 (3).

8 **SECTION 36.** 119.18 (3) to (5), (6) (intro.) and (b) and (7) to (10) of the statutes  
9 are amended to read:

10 **119.18 (3) TRANSPORTATION.** The ~~board~~ superintendent of schools may provide  
11 for the transportation of pupils to and from any school within the city.

12 **(4) INSURANCE.** The ~~board~~ superintendent of schools may provide for accident  
13 insurance covering pupils in the school district.

14 **(5) TEXTBOOKS FOR INDIGENT PUPILS.** The ~~board~~ superintendent of schools may  
15 purchase textbooks for pupils whose parents, guardians or other persons having  
16 control or custody of such pupils are without means to furnish them with textbooks,  
17 if the indigency of such pupils have been investigated and certified by a welfare  
18 worker or attendance officer. The local governmental authority administering poor  
19 relief in the city shall reimburse the ~~board~~ superintendent of schools for all  
20 expenditures by the ~~board~~ superintendent of schools for such textbooks. Such  
21 textbooks shall be the property of the city and subject to the disposal of the ~~board~~  
22 superintendent of schools.

23 **(6) SCHOOL CALENDAR.** (intro.) The ~~board~~ superintendent of schools may  
24 determine the school calendar and vacation periods for each school year for the  
25 regular day schools, summer schools, social centers and playgrounds, except that:

1 (b) The ~~board~~ superintendent of schools may close any school or dismiss any  
2 class in the event of an emergency, fire or other casualty, quarantine or epidemic.

3 (7) SCHOOL HOURS. The ~~board~~ superintendent of schools may establish rules  
4 scheduling the hours of each school day during which the schools shall be in session.  
5 The ~~board~~ superintendent of schools may differentiate between the various grades  
6 in scheduling such school hours.

7 (8) SCHOOLS CLOSED. The ~~board~~ superintendent of schools may determine on  
8 which national, state and local legal holidays and for which educational conventions  
9 the public schools shall be closed. There shall be no deductions from the annual or  
10 monthly compensation of employees not rendering services on such days.

11 (9) ENROLLMENT UNDER LEGAL NAME. The ~~board~~ superintendent of schools may  
12 require that any pupil attending public school shall be enrolled under the pupil's  
13 legal name.

14 (10) EMPLOYEES. (b) Subject to ss. 63.18 to 63.53 when applicable, the ~~board~~  
15 superintendent of schools may employ and determine the qualifications, duties and  
16 compensation of any persons as are required in the operation and management of the  
17 schools.

18 (c) The ~~board~~ superintendent of schools may employ a staff to aid it in its his  
19 or her duties. The ~~board~~ superintendent of schools shall determine the  
20 compensation, duties and qualifications of its his or her staff, including whether or  
21 not employment of such staff shall be subject to ss. 63.18 to 63.53.

22 **SECTION 37.** 119.18 (11) of the statutes is renumbered 119.14 (14).

23 **SECTION 38.** 119.18 (12), (13) (intro.), (b) and (c) and (14) of the statutes are  
24 amended to read:

1           119.18 (12) EMPLOYER CONTRIBUTION. The ~~board~~ superintendent of schools may  
2           make as the employer agency the contributions to the city retirement system payable  
3           under chapter 396, laws of 1937, in respect to ~~its~~ his or her employees who are  
4           members of such system.

5           (13) EXCHANGE TEACHERS. (intro.) The ~~board~~ superintendent of schools may  
6           make an agreement with the managing body of the schools in any city or school  
7           district in the United States or another country for the exchange of ~~one of the board's~~  
8           ~~teachers~~ a teacher for a teacher of such other city or school district for a period not  
9           exceeding one school year. The ~~board~~ superintendent of schools shall determine the  
10          qualifications and compensation of the teacher rendering service under the  
11          agreement in the schools under its jurisdiction, who shall be counted as a regular  
12          teacher in the city in the computation of state and county school aids. The agreement  
13          shall state:

14          (b) That any teacher regularly employed by the ~~board~~ superintendent of schools  
15          under this chapter shall receive credit for the year of exchange teaching service in  
16          the computation of any benefits to which the teacher is entitled under ch. 40 and the  
17          manner in which the monthly reservations shall be paid under that subchapter.

18          (c) Such other provisions as the ~~board~~ superintendent of schools and the other  
19          managing body deem appropriate.

20          (14) SALES AND CHARGES. The ~~board~~ superintendent of schools may establish  
21          and maintain, in any of the schools or playgrounds under its jurisdiction, cafeterias  
22          and stores for the sale of schoolbooks, candies, refreshments and supplies. The ~~board~~  
23          superintendent of schools also may charge or permit the making of a charge for  
24          admission to any school, social center or athletic entertainment or activity, under  
25          such terms and conditions as the board prescribes.

1           **SECTION 39.** 119.18 (15) of the statutes is renumbered 119.14 (4) and amended  
2 to read:

3           119.14 **(4)** LEASE SCHOOL PROPERTY. In addition to any other authority, the board  
4 may lease school sites, buildings and equipment not needed for school purposes, as  
5 determined by the superintendent of schools, to any person for any lawful use at a  
6 reasonable rental for a term not exceeding 15 years.

7           **SECTION 40.** 119.18 (16) to (22) of the statutes are amended to read:

8           119.18 **(16)** GIFTS AND GRANTS. The ~~board~~ superintendent of schools may  
9 receive, accept and use gifts or grants of furniture, books, equipment, supplies,  
10 moneys, securities or other property used or useful for school and educational  
11 purposes. The ~~board~~ superintendent of schools shall make such use of gifts or grants,  
12 or invest the same in the case of moneys, as the donor or grantor specifies. In the  
13 absence of any specific direction as to the use of such gifts or grants by a donor or  
14 grantor, the ~~board~~ superintendent of schools may determine the use of or may invest  
15 the same in accordance with the law applicable to trust investments. In the use,  
16 control or investment of such gifts or grants, the ~~board~~ superintendent of schools may  
17 exercise the rights and powers generally conferred upon trustees.

18           **(17)** PURCHASES FROM HOUSE OF CORRECTION. The ~~board~~ superintendent of  
19 schools may purchase for use in the schools, from any county in which the city is  
20 located, furniture, furnishings and equipment manufactured in any house of  
21 correction under s. 303.16 (1). The ~~board~~ superintendent of schools may waive the  
22 furnishing by the county or institution of bid bonds and performance bonds otherwise  
23 required by the statutes in connection with any such purchase.

1           **(18) COPYRIGHT MATERIALS.** The ~~board~~ superintendent of schools may copyright  
2 under the applicable federal laws any book, pamphlet, bulletin or record form edited  
3 and published by or under the direction of the ~~board~~ superintendent of schools.

4           **(19) FENCES.** The ~~board~~ superintendent of schools may construct around any  
5 schoolhouse or playground site a fence of materials and design approved by the ~~board~~  
6 superintendent of schools.

7           **(20) DIPLOMAS.** The ~~board~~ superintendent of schools may grant diplomas in  
8 testimony of the completion of high school or special education requirements,  
9 including the requirements of special schools established under s. 119.28.

10           **(21) RULES ON CONDUCT AND DRESS.** The ~~board~~ superintendent of schools may  
11 establish rules pertaining to conduct and dress of pupils in order to maintain good  
12 decorum and a favorable academic atmosphere.

13           **(22) RECORDS CUSTODIAN.** ~~On~~ Except as provided in s. 119.14 (15), on behalf of  
14 any school district authority as defined in s. 19.32 (1), ~~including the board, school~~  
15 ~~district officers and any subunit of the board or school district,~~ the superintendent  
16 of schools may designate one or more persons to be legal custodians of records.

17           **SECTION 41.** 119.18 (23) of the statutes is repealed and recreated to read:

18           119.18 **(23) SCHOOL CLOSINGS.** (a) The superintendent of schools may close any  
19 school that it determines is low in performance. If the superintendent of schools  
20 closes a school, he or she may reassign the school's staff members without regard to  
21 seniority in service. If the superintendent of schools reopens the school, he or she  
22 may reassign staff members to the school without regard to seniority in service.

23           (b) The process described in s. 119.16 (8) (a) applies to any decision made by the  
24 superintendent of schools to close a school under par. (a).

25           **SECTION 42.** 119.19 of the statutes is amended to read:

1           **119.19 Released time for religious instruction. (1)** The board  
2           superintendent of schools may permit a pupil, with the written permission of the  
3           pupil's parent or guardian, to be absent from school for up to 180 minutes per week  
4           to obtain religious instruction outside the school during the required school period.  
5           The board superintendent of schools shall determine periods allotted for the pupil  
6           to be absent from school for the purpose of religious instruction. Monthly, the  
7           supervisor of the religious instruction shall report the names of the pupils who  
8           attended such weekly religious instruction to the principal of the school that the  
9           pupil regularly attends. The board superintendent of schools may withdraw  
10          permission to be absent from school if a pupil does not attend the religious  
11          instruction.

12          **(2)** The board superintendent of schools is not responsible for transporting a  
13          pupil to or from religious instruction under sub. (1).

14          **(3)** The board superintendent of schools is released from all liability for a pupil  
15          who is absent from school under sub. (1).

16          **SECTION 43.** 119.235 (1) of the statutes is amended to read:

17          119.235 **(1)** The board superintendent of schools may contract with any  
18          nonsectarian private school located in the city or any nonsectarian private agency  
19          located in the city to provide educational programs to pupils enrolled in the school  
20          district operating under this chapter. The board superintendent of schools shall  
21          ensure that each private school or agency under contract with the board  
22          superintendent of schools complies with ss. 118.125 and 118.13, 20 USC 1232g, 20  
23          USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42 USC 2000d and 42 USC  
24          6101 to 6107, and all health and safety laws and rules that apply to public schools.

25          **SECTION 44.** 119.235 (2) (intro.) and (b) of the statutes are amended to read:

1           119.235 (2) (intro.) Each private school or agency under contract with the ~~board~~  
2 superintendent of schools shall do all of the following:

3           (b) Participate in the ~~board's~~ superintendent of schools' parent information  
4 program.

5           **SECTION 45.** 119.235 (2) (d) of the statutes is amended to read:

6           119.235 (2) (d) Meet insurance and financial requirements established by the  
7 ~~board~~ superintendent of schools.

8           **SECTION 46.** 119.235 (2) (e) 2. of the statutes is amended to read:

9           119.235 (2) (e) 2. A pupil selection process that gives preference to the siblings  
10 of enrolled pupils and that gives no other preferences except those approved by the  
11 ~~board~~ superintendent of schools.

12           **SECTION 47.** 119.235 (2) (f) of the statutes is amended to read:

13           119.235 (2) (f) Report to the ~~board~~ superintendent of schools any information  
14 requested by the ~~board~~ superintendent of schools.

15           **SECTION 48.** 119.235 (3) of the statutes is amended to read:

16           119.235 (3) Any pupil enrolled in the school district operating under this  
17 chapter may attend, at no charge, any private school or agency with which the ~~board~~  
18 superintendent of schools has contracted under sub. (1) if space is available in the  
19 private school or agency.

20           **SECTION 49.** 119.235 (4) of the statutes is amended to read:

21           119.235 (4) The ~~board~~ superintendent of schools shall establish appropriate,  
22 quantifiable performance standards for pupils at each private school or agency with  
23 which it he or she contracts in such areas as attendance, reading achievement, pupil  
24 retention, pupil promotion, parent surveys, credits earned and grade point average.

25           **SECTION 50.** 119.235 (5) of the statutes is amended to read:

1           119.235 (5) Annually, the ~~board~~ superintendent of schools shall monitor the  
2 performance of the program under this section. The ~~board~~ superintendent of schools  
3 may use the results of standardized basic educational skills tests to do so. The ~~board~~  
4 superintendent of schools shall include a summary of its his or her findings in its the  
5 annual report to the state superintendent under s. 119.44.

6           **SECTION 51.** 119.24 of the statutes is amended to read:

7           **119.24 Admission of pupils.** A pupil may attend a school in an attendance  
8 district other than the one in which he or she resides with the written permission of  
9 the superintendent of schools. ~~Beginning in the 2000–01 school year, the board~~ The  
10 superintendent of schools shall provide spaces in each school for pupils who reside  
11 outside the attendance district for the school, but shall fill any unused spaces with  
12 pupils who reside in the attendance district. A pupil who attends a school may  
13 continue to attend that school until he or she graduates from the school and each  
14 sibling of that pupil shall be given priority over other pupils in the process of  
15 admission for that school.

16           **SECTION 52.** 119.26 of the statutes is amended to read:

17           **119.26 Partial annexation of school district.** When the city has annexed  
18 a portion of the territory of a school district and such annexation does not include the  
19 site of any school building of such school district, the school board of the district and  
20 the ~~board~~ superintendent of schools may enter into an agreement to permit pupils  
21 residing in the annexed territory to continue to attend school in the school district,  
22 and the ~~board~~ superintendent of schools shall pay tuition to the school district for the  
23 pupils in accordance with s. 121.78.

24           **SECTION 53.** 119.28 (1) of the statutes is amended to read:

1           119.28 (1) The ~~board~~ superintendent of schools shall establish and maintain  
2 such special schools for children with disabilities, as defined in s. 115.76 (5), as are  
3 required to accommodate pupils of school age desiring to attend school. The ~~board~~  
4 superintendent of schools shall prescribe the courses of study and the educational  
5 and other activities in special schools.

6           **SECTION 54.** 119.28 (2) of the statutes is amended to read:

7           119.28 (2) The ~~board~~ superintendent of schools may employ teachers to give  
8 instruction in homes or hospitals to pupils unable to attend special schools.

9           **SECTION 55.** 119.28 (3) of the statutes is amended to read:

10          119.28 (3) The ~~board~~ superintendent of schools may provide transportation for  
11 pupils attending special schools and provide school lunches for pupils under such  
12 terms as it determines.

13          **SECTION 56.** 119.28 (4) of the statutes is amended to read:

14          119.28 (4) The superintendent of schools shall prescribe, with the approval of  
15 the committee on instruction, the periods of instruction at special schools subject to  
16 ~~amendment, rejection or confirmation by the board.~~

17          **SECTION 57.** 119.30 of the statutes is amended to read:

18          **119.30 Trade schools. (1)** The ~~board~~ superintendent of schools may  
19 establish, conduct and maintain one or more schools for the purpose of giving  
20 practical instruction in the useful trades and may purchase the proper machinery,  
21 tools and equipment and employ a sufficient number of teachers and other necessary  
22 employees in such schools. Such schools shall be known as senior trade schools and  
23 junior trade schools.

24          **(2)** Until otherwise determined by the ~~board~~ superintendent of schools, only  
25 pupils who have completed the 8th grade in an accredited school whose graduates

1 are eligible for admission to a high school in the city shall be admitted to the senior  
2 trade schools. Only pupils who have attained the age of 14 years or have completed  
3 at least 6 grades in elementary school shall be admitted to the junior trade schools.

4 **(3)** The ~~board~~ superintendent of schools may require pupils in trade schools to  
5 pay the cost of all materials consumed in the course. In lieu of that requirement, the  
6 ~~board~~ superintendent of schools may establish a fixed sum to be paid by each pupil  
7 in a course which shall be sufficient to cover the cost of materials to be consumed by  
8 the pupil in the course. The ~~board~~ superintendent of schools may sell any articles  
9 made or manufactured in a trade school and determine the use of the proceeds from  
10 the sale.

11 **SECTION 58.** 119.32 (1) of the statutes is amended to read:

12 119.32 **(1)** The ~~board~~ mayor shall ~~elect by roll call vote at a regular meeting~~  
13 appoint a superintendent of schools, to serve at his or her pleasure, whenever that  
14 office becomes vacant. The superintendent of schools shall be a person of suitable  
15 learning and experience in the art of instruction and shall have practical familiarity  
16 with the most approved methods of organizing and conducting a system of schools.

17 **SECTION 59.** 119.32 (2) (intro.) of the statutes is amended to read:

18 119.32 **(2)** (intro.) ~~Under the direction of the board, the~~ The superintendent of  
19 schools shall have general supervision of:

20 **SECTION 60.** 119.32 (3) of the statutes is amended to read:

21 119.32 **(3)** ~~Subject to confirmation by the board, the~~ The superintendent of  
22 schools shall appoint the deputy superintendent of schools, associate superintendent  
23 of schools, executive assistant to the superintendent of schools, assistant to the  
24 superintendent of schools, assistant superintendent, division director, department

1 director and any other supervisory or administrative employees ~~designated by the~~  
2 ~~board.~~

3 **SECTION 61.** 119.32 (4) of the statutes is amended to read:

4 119.32 (4) The superintendent of schools shall be an advisory member of every  
5 committee of the board, ~~except when an inquiry into his or her acts or an~~  
6 ~~investigation of his or her official conduct is under consideration by such committee.~~

7 **SECTION 62.** 119.32 (5) of the statutes is amended to read:

8 119.32 (5) The superintendent of schools shall assign all teachers and engage  
9 and assign substitute teachers at the per diem compensation fixed by the ~~board~~  
10 superintendent of schools.

11 **SECTION 63.** 119.32 (6) of the statutes is amended to read:

12 119.32 (6) The superintendent of schools shall collect such statistics and  
13 information relating to schools and the population entitled to school privileges in the  
14 city as the ~~board directs~~ he or she deems necessary.

15 **SECTION 64.** 119.32 (7) of the statutes is amended to read:

16 119.32 (7) Notwithstanding ss. 115.28 (7), 118.19 (1) and 121.02 (1) (a), the  
17 ~~board~~ mayor may elect appoint a superintendent of schools, and the superintendent  
18 of schools may employ a business manager, who are not licensed by the department.

19 **SECTION 65.** 119.36 of the statutes is repealed.

20 **SECTION 66.** 119.40 of the statutes is amended to read:

21 119.40 (1) (a) Annually, the ~~board~~ superintendent of schools shall establish a  
22 schedule of salaries for all classroom teachers, not including principals and vice  
23 principals, in the schools of the city.

24 (b) Annually, the ~~board~~ superintendent of schools may establish one or more  
25 schedules of salaries for all its employees not covered under par. (a).

1           **(2)** All schedules of salaries annually fixed by the ~~board~~ superintendent of  
2 schools shall be adopted for the same period and on the same year basis as the annual  
3 school budget is adopted by the ~~board~~ superintendent of schools.

4           **SECTION 67.** 119.42 (1m) of the statutes is amended to read:

5           **119.42 (1m)** The appointment of a teacher in a 1st class city school district shall  
6 be probationary. After successful probation by completing 3 years of continuous  
7 service, the appointment shall be permanent during efficiency and good behavior.  
8 A teacher who has a permanent appointment shall not be discharged, except for  
9 cause upon written charges. After 10 days' written notice to the teacher of the  
10 charges and upon the teacher's written request, the charges shall be investigated,  
11 heard and determined by the ~~board~~ superintendent of schools. The action of the  
12 ~~board~~ superintendent of schools on the matter shall be final.

13           **SECTION 68.** 119.42 (2) of the statutes is amended to read:

14           **119.42 (2)** Any teacher employed in a public school in territory annexed to the  
15 city, who at the time of the annexation possesses the qualifications required by law  
16 and by the rules of the ~~board~~ superintendent of schools for probationary or  
17 permanent appointment to a teaching position in the city, shall have the status of a  
18 regularly appointed teacher in the schools of the city and shall be entitled to all the  
19 rights and privileges of regularly appointed teachers in the city. Time spent in  
20 teaching in the annexed territory prior to annexation shall be credited to each such  
21 teacher as time spent in teaching in the city.

22           **SECTION 69.** 119.44 (title) of the statutes is amended to read:

23           **119.44 (title) Board Superintendent of schools report.**

24           **SECTION 70.** 119.44 (1) of the statutes is amended to read:

1           119.44 (1) The ~~board~~ superintendent of schools shall file ~~its~~ the annual  
2 financial report with the city clerk and shall send a copy of the report to the state  
3 superintendent.

4           **SECTION 71.** 119.44 (2) (intro.) of the statutes is amended to read:

5           119.44 (2) (intro.) Annually at such times as the department prescribes but on  
6 or before September 1, the ~~board~~ superintendent of schools shall file a verified  
7 annual report with the department, on forms supplied by the department. The  
8 annual report shall contain all of the following:

9           **SECTION 72.** 119.44 (2) (a) 3. of the statutes is amended to read:

10           119.44 (2) (a) 3. The number of pupils transferred by the ~~school board~~  
11 superintendent of schools to a different school in the same school district.

12           **SECTION 73.** 119.46 (1) of the statutes, as affected by 2009 Wisconsin Act 28,  
13 is amended to read:

14           119.46 (1) As part of the budget transmitted annually to the common council  
15 under s. 119.16 (8) (b), the ~~board~~ superintendent of schools shall report the amount  
16 of money required for the ensuing school year to operate all public schools in the city  
17 under this chapter, to repair and keep in order school buildings and equipment, to  
18 make material improvements to school property and to purchase necessary additions  
19 to school sites. The amount included in the report for the purpose of supporting the  
20 Milwaukee Parental Choice Program under s. 119.23 shall be reduced by the amount  
21 of aid received by the ~~board~~ school district under s. 121.136 and by the amount  
22 specified in the notice received by the ~~board~~ superintendent of schools under s.  
23 121.137 (2). The common council shall levy and collect a tax upon all the property  
24 subject to taxation in the city, which shall be equal to the amount of money required  
25 by the ~~board~~ superintendent of schools for the purposes set forth in this subsection,

1 at the same time and in the same manner as other taxes are levied and collected.  
2 Such taxes shall be in addition to all other taxes which the city is authorized to levy.  
3 The taxes so levied and collected, any other funds provided by law and placed at the  
4 disposal of the city for the same purposes, and the moneys deposited in the school  
5 operations fund under s. 119.60 (1), shall constitute the school operations fund.

6 **SECTION 74.** 119.47 of the statutes is amended to read:

7 **119.47 Taxes for school extension fund.** (1) If activities are being  
8 conducted under s. 119.70 (1), the ~~board~~ superintendent of schools as part of the  
9 budget transmitted annually to the common council under s. 119.16 (8) (b) shall  
10 specify the amount of money required for the ensuing school year under s. 119.70 (3).  
11 The taxes so levied and collected shall constitute the school extension fund.

12 (2) The ~~board~~ superintendent of schools may receive and expend, in addition  
13 to the tax levied and collected under s. 119.70 (3), any sums of money appropriated  
14 by the common council of the city for community services. The common council may  
15 appropriate from the city general fund or a similar fund to the school district such  
16 sums of money as the common council deems expedient.

17 **SECTION 75.** 119.48 (1) of the statutes is amended to read:

18 119.48 (1) If the ~~board adopts a resolution by a two-thirds vote of the~~  
19 ~~members-elect~~ superintendent of schools determines to provide funds, in addition  
20 to receipts from the sale of bonds, to purchase school sites, to construct school  
21 buildings and additions thereto or to remodel existing buildings, ~~the board~~ he or she  
22 may include, as part of the budget transmitted to the common council under s. 119.16  
23 (8) (b), a communication stating the amount of funds needed for such purposes. Upon  
24 receipt of the communication, the common council shall levy and collect a tax upon  
25 all property subject to taxation in the city, which shall be equal to the amount of

1 money required by the ~~board~~ superintendent of schools for the purposes set forth in  
2 the communication, at the same time and in the same manner as other taxes are  
3 levied and collected. Such taxes shall be in addition to all other taxes which the city  
4 is authorized to levy. The taxes so levied and collected and the moneys under s.  
5 119.60 (1) that are deposited in the school construction fund shall constitute the  
6 school construction fund. If moneys under s. 119.60 (1) are deposited in the school  
7 construction fund, the moneys shall be used for the purchase of real property for  
8 school purposes. The ~~board~~ superintendent of schools may allow the school  
9 construction fund to accumulate from year to year.

10 **SECTION 76.** 119.48 (2) (intro.) of the statutes is amended to read:

11 119.48 (2) (intro.) The common council shall have the following options on the  
12 ~~board's~~ superintendent's communication under sub. (1):

13 **SECTION 77.** 119.48 (2) (a) of the statutes is amended to read:

14 119.48 (2) (a) To levy and collect a tax equal to the amount of money specified  
15 by the ~~board~~ superintendent of schools under sub. (1).

16 **SECTION 78.** 119.48 (4) (a) of the statutes is amended to read:

17 119.48 (4) (a) If the ~~board~~ superintendent of schools deems it necessary to  
18 exceed the levy rate specified under s. 65.07 (1) (f), it he or she may ~~by a two-thirds~~  
19 ~~vote of the members~~–elect include a communication to the common council as part  
20 of the budget transmitted to the common council under s. 119.16 (8) (b).

21 **SECTION 79.** 119.485 of the statutes is amended to read:

22 **119.485 Taxes for state trust fund loans. (1)** If the ~~board~~ school district is  
23 awarded a state trust fund loan under subch. II of ch. 24, the ~~board~~ superintendent  
24 of schools shall include in its his or her budget transmitted to the common council  
25 under s. 119.16 (8) (b) a written notice specifying the amount of money necessary to

1 pay the principal and interest on the loan as they become due. The common council  
2 shall levy and collect a tax upon all property subject to taxation in the city, at the  
3 same time and in the same manner as other taxes are levied and collected, equal to  
4 the amount of money required to make such payments. The taxes are in addition to  
5 all other taxes that the city is authorized to levy.

6 (2) Annually by December 31, the ~~board~~ superintendent of schools shall  
7 transfer to the city an amount which, when added to the interest that will accrue on  
8 the amount, is sufficient to meet the anticipated costs of debt service on the loan in  
9 the ensuing year.

10 **SECTION 80.** 119.49 (1) (a) of the statutes is amended to read:

11 119.49 (1) (a) If the ~~board~~ superintendent of schools deems it necessary to  
12 construct buildings or additions to buildings, to remodel buildings or to purchase  
13 school sites or to provide funds for any such purpose as a participant in a contract  
14 under s. 120.25, ~~it may by a two-thirds vote of the members elect~~ he or she shall send  
15 a written communication to the common council of the city and issue a public notice.

16 **SECTION 81.** 119.49 (2) of the statutes is amended to read:

17 119.49 (2) Upon receipt of the communication, the common council shall file the  
18 communication as provided in s. 8.37 and shall cause the question of issuing such  
19 school bonds in the stated amount and for the stated school purposes to be submitted  
20 to the voters of the city at the next election held in the city. The question of issuing  
21 such school bonds shall be submitted so that the vote upon issuing such school bonds  
22 is taken separately from any other question submitted to the voters. If a majority  
23 of the electors voting on the school bond question favors issuing such school bonds,  
24 the common council shall cause the school bonds to be issued immediately or within

1 the period permitted by law, in the amount requested by the ~~board~~ superintendent  
2 of schools and in the manner other bonds are issued.

3 **SECTION 82.** 119.49 (3) of the statutes is amended to read:

4 119.49 (3) The proper city officials shall sell or dispose of the bonds in the same  
5 manner as other bonds are disposed of. The entire proceeds of the sale of the bonds  
6 shall be placed in the city treasury, subject to the order of the ~~board~~ superintendent  
7 of schools for the purposes named in the communication under sub. (1). Such school  
8 bonds shall be payable within 20 years from the date of their issue.

9 **SECTION 83.** 119.498 (1) of the statutes is amended to read:

10 119.498 (1) Subject to s. 119.499 (1), the ~~board~~ superintendent of schools may  
11 ~~adopt a resolution requesting~~ request the common council of the city to authorize the  
12 issuance of promissory notes under s. 67.12 (12) for school purposes consisting of  
13 paying unfunded prior service liability contributions under the Wisconsin  
14 Retirement System.

15 **SECTION 84.** 119.498 (2) of the statutes is amended to read:

16 119.498 (2) If the ~~board adopts a resolution~~ superintendent of schools makes  
17 a request under sub. (1) and the city issues the notes, annually the ~~board~~  
18 superintendent of schools shall include in its the budget transmitted to the common  
19 council under s. 119.16 (8) (b) an amount sufficient to pay the principal of and interest  
20 and redemption premium on the notes as they become due. The common council may  
21 authorize the issuance of the notes at public or private sale.

22 **SECTION 85.** 119.499 of the statutes is amended to read:

23 **119.499 Borrowing; unfunded prior service liability.** (1) The ~~board~~  
24 superintendent of schools may not request the redevelopment authority of the city  
25 to issue bonds under s. 66.1333 (5s) or adopt a resolution under s. 119.498 (1) unless

1     it he or she develops information on both options and chooses the option that is in the  
2     best public interest.

3           **(1m)** If the redevelopment authority of the city issues bonds under s. 66.1333  
4     (5s), the ~~board~~ superintendent of schools may borrow money from the redevelopment  
5     authority to pay unfunded prior service liability contributions under the Wisconsin  
6     Retirement System for the board. If the ~~board~~ superintendent of schools borrows  
7     money from the redevelopment authority of the city to make such payments, it he or  
8     she may use any school district revenues, including state aid, to repay the loan.

9           **(2)** (a) If the ~~board~~ superintendent of schools decides to use school district  
10    revenues to repay the loan, it he or she may request the city to remit designated  
11    revenues of the school district to the redevelopment authority of the city at such  
12    times and in such amounts as the ~~board~~ he or she determines. The city may agree  
13    to the request, which is irrevocable while any amount due under the loan remains  
14    outstanding.

15          (b) If the ~~board~~ superintendent of schools decides to use state aid to repay the  
16    loan, it he or she may request the department to remit the aid to the redevelopment  
17    authority of the city in an annual amount agreed to by the ~~board~~ superintendent of  
18    schools and the department, and the department shall ensure that the aid  
19    remittance does not affect the amount determined to be received by the ~~board~~ school  
20    district as state aid under s. 121.08 for any other purpose.

21           **SECTION 86.** 119.50 (2) of the statutes is amended to read:

22           119.50 **(2)** The ~~board~~ superintendent of schools shall provide ~~by resolution~~ for  
23    the manner in which the payroll shall be certified, audited, approved and paid.

24           **SECTION 87.** 119.53 of the statutes is created to read:

1           **119.53 Budget committee. (1)** There is created a budget committee  
2 consisting of the following members:

3           (a) The city comptroller or his or her designee.

4           (b) The president of the common council or his or her designee.

5           (c) The president of the board or his or her designee.

6           (d) Three members appointed by the mayor to serve at his or her pleasure.

7           **(2)** The budget committee shall advise the superintendent of schools on the  
8 formulation of the annual school budget.

9           **SECTION 88.** 119.55 of the statutes is amended to read:

10           **119.55 Youth service centers, truancy abatement and burglary**  
11 **suppression. (1)** (a) The ~~board~~ superintendent of schools shall establish one or  
12 more youth service centers for the counseling of children who are taken into custody  
13 under s. 938.19 (1) (d) 10. for being absent from school without an acceptable excuse  
14 under s. 118.15. The ~~board~~ superintendent of schools shall contract with the boys and  
15 girls clubs of Greater Milwaukee for the operation of the centers.

16           (b) The ~~board~~ superintendent of schools shall establish 2 youth service centers  
17 under par. (a).

18           **(2)** The ~~board~~ superintendent of schools shall pay the city a sum sufficient to  
19 pay the costs of salaries and fringe benefits of 4 law enforcement officers to work on  
20 truancy abatement and burglary suppression on a full-time basis.

21           **SECTION 89.** 119.60 of the statutes is amended to read:

22           **119.60 Real property. (1)** If any real property within the city which is used  
23 for school purposes is sold, the ~~board~~ superintendent of schools shall determine  
24 whether the proceeds of the sale are deposited in the school operations fund under  
25 s. 119.46 or are deposited in the school construction fund under s. 119.48.

1           **(2)** City-owned property used for school purposes shall be sold by the city upon  
2 written request of the board superintendent of schools if the common council adopts  
3 a resolution approving the sale. If, within 12 months after a written request by the  
4 board superintendent of schools, the city has not disposed of the property, has failed  
5 to obtain a written agreement to dispose of the property or has not provided the board  
6 superintendent of schools with a written report giving specific reasons, which are not  
7 identified by the city attorney as constituting a conflict of interest, for its failure to  
8 dispose of the property or to obtain an agreement to dispose of the property, the board  
9 superintendent of schools may retain a real estate agent to represent the board  
10 superintendent of schools in its his or her real estate transactions.

11           **(3)** The board's superintendent's authority to retain a real estate agent under  
12 sub. (2) is limited to the actual sale of property. The board superintendent of schools  
13 may compensate the real estate agent for his or her services only on the basis of a  
14 commission for specific property sold, and no property taxes may be levied for the  
15 purpose of providing funds to pay such commissions.

16           **(4)** The city is not liable for any action of the board superintendent of schools  
17 or its real estate agent in the sale of property under this section.

18           **SECTION 90.** 119.66 of the statutes is amended to read:

19           **119.66 Interest in contracts forbidden.** During the term for which elected  
20 or appointed and for 2 years after the expiration of the term, no member of the board  
21 may be employed by the board school district or by the department of employee trust  
22 funds in any capacity for which a salary or emolument is provided by the board school  
23 district or the department of employee trust funds. For 2 years after leaving office,  
24 the superintendent of schools may not be employed by the school district or by the  
25 department of employee trust funds in any capacity for which a salary or emolument

1 is provided by the school district or the department of employee trust funds. No  
2 board member, superintendent of schools, assistant superintendent, other assistant,  
3 teacher or other employee of the board may have any interest in the purchase or sale  
4 of property by the city for the use or convenience of the schools. No contract made  
5 in violation of this section is valid. Any consideration paid by the city for a purchase  
6 or sale prohibited by this section may be recovered in an action at law in the name  
7 of the city. Any person violating this section shall be removed from any position held  
8 under this chapter.

9 **SECTION 91.** 119.68 (1) of the statutes is amended to read:

10 119.68 (1) All claims against the city or ~~board~~ school district shall be audited  
11 for sufficiency of funds by the auditing officer of the city. The superintendent of  
12 schools shall furnish the auditing officer of the city a complete list of the claims.  
13 Before a warrant is issued therefor, the auditing officer of the city shall countersign  
14 it. ~~Within 20 days after each regular or special meeting of the board~~ Monthly, the  
15 superintendent of schools shall make and file with the auditing officer of the city  
16 statements ~~of~~ on the condition of the funds for the support of the schools and of the  
17 financial transactions of the ~~board~~ school district during the period next preceding  
18 any such statement.

19 **SECTION 92.** 119.70 (1) of the statutes is renumbered 119.70 (1) (a) and  
20 amended to read:

21 119.70 (1) (a) The ~~board~~ superintendent of schools may establish and maintain  
22 for children ~~and adults~~, in the school buildings and on the school grounds, evening  
23 schools, vacation schools, reading rooms, library stations, debating clubs,  
24 gymnasiums, public playgrounds, public baths and similar activities and  
25 accommodations to be determined by the ~~board~~ superintendent of schools. The ~~board~~

1 superintendent of schools may cooperate, by agreement, with other commissions or  
2 boards having the custody and management of public parks, libraries, museums and  
3 public buildings and grounds of whatever sort to provide the equipment, supervision,  
4 instruction and oversight necessary to carry on such public educational and  
5 recreational activities in and upon such other buildings and grounds.

6 **SECTION 93.** 119.70 (1) (b) of the statutes is created to read:

7 119.70 (1) (b) The board may establish and maintain for adults, in the school  
8 buildings and on the school grounds, evening schools, vacation schools, reading  
9 rooms, library stations, debating clubs, gymnasiums, public playgrounds, public  
10 baths and similar activities and accommodations to be determined by the board. The  
11 board may cooperate, by agreement, with other commissions or boards having the  
12 custody and management of public parks, libraries, museums and public buildings  
13 and grounds of whatever sort to provide the equipment, supervision, instruction and  
14 oversight necessary to carry on such public educational and recreational activities  
15 in and upon such other buildings and grounds.

16 **SECTION 94.** 119.70 (3) of the statutes is amended to read:

17 119.70 (3) The ~~board~~ superintendent of schools shall report to the common  
18 council on or before the first Monday in August of each year the amount of money  
19 required during the ensuing school year for the support of activities under sub. (1).  
20 The common council shall levy and collect a special tax in the manner that other  
21 taxes are levied and collected, equal to the amount of money so required for the  
22 activities. The tax shall not be used or appropriated, directly or indirectly, for any  
23 other purpose.

24 **SECTION 95.** 119.70 (5) of the statutes is amended to read:

1           119.70 (5) Nothing in this section prohibits the board or the superintendent of  
2 schools from granting the use of school property to religious organizations under s.  
3 120.13 (17).

4           **SECTION 96.** 119.71 (3) of the statutes is amended to read:

5           119.71 (3) (a) Annually, the ~~board~~ superintendent of schools shall spend at least  
6 \$5,090,000 to expand its half-day 5-year-old kindergarten program to a full-day  
7 program, as provided under par. (b), and shall enroll in the expanded program only  
8 pupils who meet the income eligibility standards for a free lunch under 42 USC 1758  
9 (b). The ~~board~~ superintendent of schools shall select pupils for the expanded  
10 program based on the order in which the pupils register for the program.

11           (b) The ~~board~~ superintendent of schools shall use the funds specified under par.  
12 (a) to pay the costs of teachers, aides and other support staff, transportation of staff  
13 to pupils' homes, in-service programs, parental involvement programs and  
14 instructional materials. The ~~board~~ superintendent of schools may not use the funds  
15 to provide facilities to house the program or to pay pupil transportation or indirect  
16 administrative costs associated with the program.

17           **SECTION 97.** 119.73 of the statutes is amended to read:

18           **119.73 Kindergarten programs.** The ~~board~~ superintendent of schools shall  
19 evaluate the effectiveness of the expanded 5-year-old kindergarten programs under  
20 s. 119.71 in meeting the needs of disadvantaged children. Annually by January 1,  
21 the ~~board~~ superintendent of schools shall submit a report summarizing its his or her  
22 findings to the state superintendent and to the chief clerk of each house of the  
23 legislature for distribution to the appropriate standing committees under s. 13.172  
24 (3).

25           **SECTION 98.** 119.74 (intro.) of the statutes is amended to read:

1           **119.74 Extended-day elementary grade, 4-year-old kindergarten and**  
2           **alcohol and other drug abuse programs.** (intro.) The board superintendent of  
3           schools shall spend at least \$430,000 for the following programs in each school year:

4           **SECTION 99.** 119.75 of the statutes is amended to read:

5           **119.75 First grade programs. (1)** The board superintendent of schools shall  
6           provide expanded educational opportunities for first grade pupils who have  
7           participated in an expanded 5-year-old kindergarten program under s. 119.71.

8           **(2)** Annually, the board superintendent of schools shall spend at least  
9           \$1,070,000 to pay the costs of teachers, aides and other support staff, transportation  
10          of staff to pupils' homes, in-service programs, parental involvement programs and  
11          instructional materials related to the programs under sub. (1). The board  
12          superintendent of schools may not use the funds to provide facilities to house the  
13          programs under sub. (1) or to pay pupil transportation or indirect administrative  
14          costs associated with the programs under sub. (1).

15          **SECTION 100.** 119.78 of the statutes is amended to read:

16          **119.78 Family resource center.** The board superintendent of schools shall  
17          establish a family resource center to distribute parent education materials, conduct  
18          workshops on child development, facilitate communication between school  
19          personnel and parents of pupils enrolled in the school district and provide volunteer  
20          opportunities for parents within the schools.

21          **SECTION 101.** 119.82 (1m) (intro.) of the statutes is amended to read:

22          119.82 **(1m)** (intro.) Upon the request of the child or the child's parent or  
23          guardian, the board superintendent of schools shall provide an alternative  
24          educational program for any child who resides in the city and satisfies all of the  
25          following:

1           **SECTION 102.** 119.90 of the statutes is created to read:

2           **119.90 Advisory referendum.** There shall be submitted to the electors of the  
3 city of Milwaukee at the April 2017 spring election, for advisory purposes only, the  
4 following question: “Do you favor returning to the elected board of school directors  
5 of the Milwaukee Public Schools all of the powers and duties that were transferred  
6 to the superintendent of schools by 2009 Wisconsin Act .... (this act)?”

7           **SECTION 103.** 120.115 (1) of the statutes is amended to read:

8           120.115 (1) (a) Within 10 days after adopting a resolution that authorizes the  
9 school board to incur debt, ~~or that authorizes~~ within 10 days of issuing a written  
10 communication to the common council of a 1st class city that authorizes it to incur  
11 debt on behalf of the school district operating under ch. 119, the school board or  
12 superintendent of schools shall notify the department of the scheduled date of the  
13 referendum and submit a copy of the resolution to the department.

14           (b) Within 10 days after holding a referendum that would authorize the school  
15 district to incur debt or that would authorize the common council of a 1st class city  
16 to incur debt on behalf of the school district operating under ch. 119, the school board  
17 or superintendent of schools shall notify the department of the approval or rejection  
18 of the referendum.

19           **SECTION 104.** 120.13 (17) of the statutes is amended to read:

20           120.13 (17) TEMPORARY USE OF SCHOOL PROPERTY. Grant the temporary use of  
21 school grounds, buildings, facilities, or equipment, upon such conditions, including  
22 fees not to exceed actual costs, as determined by the school board, to any responsible  
23 person for any lawful nonschool purpose if such use does not interfere with use for  
24 school purposes or school-related functions. Fees received under this subsection  
25 shall be paid into the school district treasury and accounted for as prescribed under

1 s. 115.28 (13). The user shall be primarily liable, and the school board secondarily  
2 liable, for any damage to property and for any expense incurred in consequence of  
3 any use of school grounds, buildings, facilities, or equipment under this subsection.  
4 In the school district operating under ch. 119, both the board and the superintendent  
5 of schools have the authority granted to the school board under this subsection, and  
6 the school district is secondarily liable for damage to property and for any expense  
7 incurred in consequence of any use of school grounds, buildings, facilities, or  
8 equipment under this subsection.

9 **SECTION 105.** 120.14 (1) of the statutes is amended to read:

10 120.14 (1) At the close of each fiscal year, the school board of each school district  
11 shall employ a licensed accountant to audit the school district accounts and certify  
12 the audit. The audit shall include information concerning the school district's  
13 self-insurance plan under s. 120.13 (2) (b), as specified by the commissioner of  
14 insurance. If required by the state superintendent under s. 115.28 (18), the audit  
15 shall include an audit of the number of pupils reported for membership purposes  
16 under s. 121.004 (5). The cost of the audit shall be paid from school district funds.  
17 The superintendent of schools of a school district operating under ch. 119 shall  
18 provide a copy of the audit to the budget committee under s. 119.53. Annually by  
19 September 15, the school district clerk shall file a financial audit statement with the  
20 state superintendent.

21 **SECTION 106.** 121.137 (1) (a) of the statutes, as created by 2009 Wisconsin Act  
22 28, is repealed.

23 **SECTION 107.** 121.137 (1) (c) of the statutes is created to read:

24 121.137 (1) (c) "Superintendent of schools" means the superintendent of  
25 schools of the school district operating under ch. 119.

1           **SECTION 108.** 121.137 (2) of the statutes, as created by 2009 Wisconsin Act 28,  
2 is amended to read:

3           121.137 (2) Annually, the department shall calculate the amount of the state  
4 aid reduction under s. 121.08 (4) (b) 2. in the current school year and shall notify the  
5 ~~board~~ superintendent of schools, in writing, of the result.

6           **SECTION 109.** 121.137 (3) of the statutes, as created by 2009 Wisconsin Act 28,  
7 is amended to read:

8           121.137 (3) From the appropriation under s. 20.255 (2) (ac), annually the  
9 department shall pay the amount calculated under sub. (2) to the city in installments  
10 according to the schedule used by the ~~board~~ school district operating under ch. 119  
11 for the distribution of state aid under s. 121.15 (1) or (1g). The city shall pay an  
12 amount equal to the amount received under this subsection to the ~~board~~ school  
13 district operating under ch. 119.

14           **SECTION 110.** 121.85 (6) (am) 1. a. of the statutes is amended to read:

15           121.85 (6) (am) 1. a. Subtract from 75% the percentage of pupils whose parents  
16 or guardians have provided the ~~board of school directors~~ superintendent of schools  
17 with written consent to a pupil transfer to another attendance area.

18           **SECTION 111.** 121.85 (6) (am) 2. a. of the statutes is amended to read:

19           121.85 (6) (am) 2. a. Subtract from 80% the percentage of pupils whose parents  
20 or guardians have provided the ~~board of school directors~~ superintendent of schools  
21 with written consent to a pupil transfer to another attendance area.

22           **SECTION 112.** 121.85 (6) (am) 3. a. of the statutes is amended to read:

23           121.85 (6) (am) 3. a. Subtract from 90% the percentage of pupils whose parents  
24 or guardians have provided the ~~board of school directors~~ superintendent of schools  
25 with written consent to a pupil transfer to another attendance area.

1           **SECTION 113.** 121.85 (6) (am) 4. a. of the statutes is amended to read:

2           121.85 **(6)** (am) 4. a. Subtract from 95% the percentage of pupils whose parents  
3 or guardians have provided the ~~board of school directors~~ superintendent of schools  
4 with written consent to a pupil transfer to another attendance area.

5           **SECTION 114.** 121.85 (6) (am) 5. of the statutes is amended to read:

6           121.85 **(6)** (am) 5. In the 2004–05 school year, the number of pupils whose  
7 parents or guardians have not provided the ~~board of school directors~~ superintendent  
8 of schools with written consent to a pupil transfer to another attendance area.

9           **SECTION 115.** 121.85 (6) (am) 6. a. of the statutes is amended to read:

10           121.85 **(6)** (am) 6. a. Subtract from 95% the percentage of pupils whose parents  
11 or guardians have provided the ~~board of school directors~~ superintendent of schools  
12 with written consent to a pupil transfer to another attendance area.

13           **SECTION 116.** 121.85 (6m) of the statutes is amended to read:

14           121.85 **(6m)** USE OF AID FOR LEASE OR LOAN PAYMENTS. If the ~~board of directors~~  
15 superintendent of schools of the school district operating under ch. 119 leases  
16 buildings or sites from the redevelopment authority of the city or borrows money  
17 from the redevelopment authority of the city under s. 119.16 (3) (c), it he or she may  
18 use intradistrict transfer aid under sub. (6) to make lease payments or repay the  
19 loan. If the ~~board of school directors~~ superintendent of schools decides to use the aid  
20 to make lease payments or repay the loan, it he or she may request the department  
21 to remit the intradistrict transfer aid under sub. (6) to the redevelopment authority  
22 of the city of Milwaukee in an annual amount agreed to by the ~~board of school~~  
23 ~~directors~~ superintendent of schools and the department, and the department shall  
24 ensure that the aid remittance does not affect the amount determined to be received

1 by the ~~board of school directors~~ school district operating under ch. 119 as state aid  
2 under s. 121.08 for any other purpose.

3 **SECTION 117.** 121.87 (3) of the statutes is amended to read:

4 121.87 (3) In addition to the report under sub. (1), annually by May 1 the ~~board~~  
5 ~~of school directors~~ superintendent of schools of the school district operating under ch.  
6 119 shall submit a report to the legislature under s. 13.172 (2) that specifies the  
7 number, percentage, race, sex, grade and attendance area of pupils transferred  
8 outside their attendance area without written consent under s. 121.85 (6) (am).

9 **SECTION 118.** 200.23 (2) (a) 6. of the statutes is amended to read:

10 200.23 (2) (a) 6. Members of the board of school directors in ~~charge of the public~~  
11 ~~schools of the a~~ 1st class city school district.

12 **SECTION 119. Nonstatutory provisions.**

13 (1) MAYORAL APPOINTMENTS.

14 (a) The mayor of a 1st class city shall make the appointment under section  
15 119.32 (1) of the statutes, as affected by this act, within 90 days after the effective  
16 date of this paragraph.

17 (b) The mayor of a 1st class city shall make the appointments under section  
18 119.53 (1) (d) of the statutes, as created by this act, within 90 days after the effective  
19 date of this paragraph.

20 (2) SUPERINTENDENT OF SCHOOLS; INCUMBENCY.

21 (a) Notwithstanding section 119.32 (1) of the statutes, as affected by this act,  
22 the superintendent of schools of the school district operating under chapter 119 of the  
23 statutes on the effective date of this paragraph may continue to hold that office and  
24 exercise the powers and duties of that office until his or her successor under section  
25 119.32 of the statutes, as affected by this act, is appointed and qualified.

